

House File 358 - Introduced

HOUSE FILE 358

BY SWEENEY

A BILL FOR

1 An Act relating to the definition of off-road utility vehicle
2 and the operation of off-road utility vehicles on public
3 areas and trails designated for all-terrain vehicle use.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321I.1, subsection 16, Code 2011, is
2 amended to read as follows:

3 16. a. *"Off-road utility vehicle"* means a motorized
4 flotation-tire vehicle with not less than four and not more
5 than eight low-pressure tires that is limited in engine
6 displacement to less than one thousand five hundred cubic
7 centimeters and in total dry weight to not more than one
8 thousand eight hundred pounds and that has a seat that is of
9 bucket or bench design, not intended to be straddled by the
10 operator, and a steering wheel or control levers for control,
11 including but not limited to a mini dune buggy.

12 b. An owner of an off-road utility vehicle may register
13 or title an off-road utility vehicle in order to legally
14 operate the off-road vehicle on public ice, a designated
15 riding area, or a designated riding trail. The operator of an
16 off-road utility vehicle is subject to provisions governing
17 the operation of all-terrain vehicles in section 321.234A and
18 this chapter, but is exempt from the safety instruction and
19 certification program requirements of sections 321I.25 and
20 321I.26. ~~An operator of an off-road utility vehicle shall not~~
21 ~~operate the vehicle on a designated riding area or designated~~
22 ~~riding trail unless the department has posted signage~~
23 ~~indicating the riding area or trail is open to the operation~~
24 ~~of off-road utility vehicles.~~ Off-road utility vehicles are
25 exempt from the dealer registration and titling requirements
26 of this chapter. A motorized vehicle that was previously
27 titled or is currently titled under chapter 321 shall not be
28 registered or operated as an off-road utility vehicle.

29 Sec. 2. Section 321I.14, subsection 4, Code 2011, is amended
30 by striking the subsection.

31 Sec. 3. Section 805.8B, subsection 2A, paragraph b,
32 subparagraph (3), Code 2011, is amended to read as follows:

33 (3) For operating violations under section 321I.14,
34 subsection 1, paragraphs "a", "e", "f", "g", and "h", and
35 subsections 2, 3, 4, and 5, the scheduled fine is one hundred

1 dollars.

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EXPLANATION

3 This bill amends the definition of "off-road utility
4 vehicle" to specify that the term includes vehicles known as
5 mini dune buggies. An off-road utility vehicle is defined as
6 a motorized flotation-tire vehicle with at least four but not
7 more than eight low-pressure tires that is limited in engine
8 displacement to less than 1,500 cubic centimeters and in total
9 dry weight to not more than 1,800 pounds and that has a seat
10 that is of bucket or bench design, not intended to be straddled
11 by the operator, and a steering wheel or control levers for
12 control.

13 Under current law, the registration of off-road utility
14 vehicles is required if the owner intends to use the vehicle
15 on public ice, designated riding areas, or designated riding
16 trails. However, off-road utility vehicles are only permitted
17 on those designated riding areas and trails where the
18 department of natural resources has posted signs indicating
19 that the riding area or trail is open to off-road utility
20 vehicles.

21 This bill removes the restriction on the operation of
22 off-road utility vehicles on certain designated riding areas or
23 trails, so that a registered off-road utility vehicle may be
24 operated on any public riding area or trail designated for the
25 operation of all-terrain vehicles.